

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SARINA A. PETERSON,

Plaintiff

v.

Case No. 06-15102

AT&T SERVICES, INC., d/b/a
AT&T SERVICES,
and ALICIA SMITH,

Honorable Patrick J. Duggan

Defendants.

OPINION AND ORDER DENYING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on June 12, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Plaintiff Sarina Peterson (“Plaintiff”) filed this lawsuit alleging that AT&T Services, Inc. (“AT&T”) and Alicia Smith (“Smith”) (collectively “Defendants”) discriminated against her in violation of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 120101-12213, and Michigan’s Persons With Disabilities Civil Rights Act (“PWD CRA”), MICH. COMP. LAWS §§ 37.1101-37.1607. Specifically, Plaintiff claims that Defendants failed to reasonably accommodate her alleged disabilities. Plaintiff also charges Defendants with violating Michigan’s Bullard-Plawecki Employee Right to Know Act (“Bullard-Plawecki Act”), MICH. COMP. LAWS §§ 423.501-423.512.

On April 15, 2008, Defendants filed a motion for summary judgment pursuant to Rule 56(c) of the Federal Rules of Civil Procedure. Plaintiff filed a response to the motion in which she concedes that her claim against Smith under the ADA fails because there is no individual liability under the statute. Smith also indicates that she is voluntarily dismissing her claim against Defendants under the Bullard-Plawecki Act. Defendants filed a reply on May 16, 2008. On June 12, 2008, the Court held a motion hearing.

For the reasons set forth on the record at the motion hearing and pursuant to Plaintiff's concessions in her response brief,

IT IS ORDERED, that Defendants' Motion for Summary Judgment **DENIED**;

IT IS FURTHER ORDERED, that Plaintiff's ADA claim against Smith and her Bullard-Plawecki Act claim are **DISMISSED WITH PREJUDICE**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
Robert R. Stearns, Esq.
John M. Boyda, Esq.